

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RESPONSE UNDER RULE 116
EXPEDITED HANDLING PROCEDURES

In re Patent Application of

Atty Dkt. 39-257

C# M#

FERGUSON, Mark W.J.

JC/A.U.

1647

Serial No. 10/082,221

Examiner: Landsman, R.

Filed: February 26, 2002

Date: December 9, 2004

Title: PHARMACEUTICAL COMPOSITION CONTAINING IL-10

Corres. and Mail
BOX AF**Mail Stop AF**Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

AMENDMENT UNDER RULE 116

This is a response/amendment/letter in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

☐ **Correspondence Address Indication Form Attached.****Fees are attached as calculated below:**

Total effective claims after amendment 0 minus highest number
previously paid for 20 (at least 20) = 0 x \$ 18.00 \$ 0.00

Independent claims after amendment 0 minus highest number
previously paid for 3 (at least 3) = 0 x \$ 88.00 \$ 0.00

If proper multiple dependent claims now added for first time, add \$300.00 (ignore improper) \$ 0.00

Petition is hereby made to extend the current due date so as to cover the filing date of this
paper and attachment(s) (\$110.00/1 month; \$430.00/2 months; \$980.00/3 months) \$ 0.00

Terminal disclaimer enclosed, add \$ 110.00 \$ 0.00

☐ First/second submission after Final Rejection pursuant to 37 CFR 1.129(a) (\$790.00) \$ 0.00

☐ Please enter the previously unentered, filed

☐ Submission attached

Subtotal \$ 0.00

If "small entity," then enter half (1/2) of subtotal and subtract -\$ 0.00

☐ Applicant claims "small entity" status. ☐ Statement filed herewith

Rule 56 Information Disclosure Statement Filing Fee (\$180.00) \$ 0.00

Assignment Recording Fee (\$40.00) \$ 0.00

Other: 0.00

TOTAL FEE ENCLOSED \$ 0.00

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

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MJW:tatNIXON & VANDERHYE P.C.
By Atty: Mary J. Wilson, Reg. No. 32,955Signature: Mary J. Wilson



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

FERGUSON, Mark W.J.

Atty. Ref.: 39-257; Confirmation No. 2577

Appl. No. 10/082,221

TC/A.U. 1647

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For: PHARMACEUTICAL COMPOSITION CONTAINING IL-10

* * * * *

December 9, 2004

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

AMENDMENT UNDER RULE 116

This is in response to the Office Action dated June 3, 2004, in the above matter, a Notice of Appeal having been filed November 3, 2004. Kindly amend the above-identified application as follows.